

Adulteration was alleged in four counts of the information for the reason that the article contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it injurious to health, and in two of the counts, that it contained an added poisonous and deleterious ingredient, arsenic, which might have rendered it injurious to health.

On September 14, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20074. Adulteration and misbranding of butter. U.S. v. 10 Tubs, et al., of Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 28551, 28552. Sample Nos. 3257-A, 3268-A.)

These actions involved the shipment of quantities of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress.

On or about June 22, 1932 and June 24, 1932, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 22 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped in interstate commerce, in part on or about June 13, 1932, and in part on or about June 14, 1932, by Swift & Co., from Salina, Kans., to Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libels that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article contained less than 80 percent of butterfat.

Misbranding was alleged for the reason that the article had been sold, shipped, and labeled as butter, which was false and misleading, since it contained less than 80 percent of milk fat.

On July 2 and July 16, 1932, the G. H. Hammond Co., and Swift & Co., both of Chicago, Ill., having appeared as claimants for respective portions of the product and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants for reworking under the supervision of this Department, upon payment of costs and the execution of bonds in the total sum of \$300, conditioned in part that it should not be sold or disposed of contrary to the Federal Food and Drugs act and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20075. Adulteration of canned frozen whole eggs. U.S. v. Morning Glory Creameries, Inc. Plea of guilty. Fine, \$50. (F. & D. No. 28133. I.S. No. 36889.)

This action was based on the interstate shipment of a quantity of canned frozen whole eggs, samples of which were found to be decomposed.

On August 13, 1932, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Morning Glory Creameries, Inc., trading at Houston, Tex., alleging shipment by said company in violation of the Food and Drugs Act, on or about August 11, 1931, from the State of Texas into the State of Louisiana, of a quantity of canned frozen whole eggs that were adulterated. The article was labeled in part: (Cans) "Keith's Kaoka Whole Egg."

It was alleged in the information that the article was adulterated in that it consisted in part of a putrid and decomposed animal substance.

On September 28, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*